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 Construction, Inc.; A.G. Spanos
 Development, Inc.; A.G. Spanos
 Land Company, Inc.; A.G. Spanos
 Management, Inc., and The Spanos Corporation

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

National Fair Housing Alliance, Inc., et al.,	)	CASE NO. C07-03255-SBA
)	
Plaintiffs,	)	[PROPOSED] ORDER GRANTING
	)	DEFENDANTS A.G. SPANOS
vs.	)	CONSTRUCTION, INC., A.G. SPANOS
	)	DEVELOPMENT, INC., A.G. SPANOS
A.G. Spanos Construction, Inc., et al.	)	LAND COMPANY, INC., A.G.
	)	SPANOS MANAGEMENT, INC., AND
Defendants.	)	THE SPANOS CORPORATION'S
	)	MOTION TO DISMISS PLAINTIFFS'
	)	FIRST AMENDED COMPLAINT

Hearing Date: February 26, 2008
 Time: 1:00 p.m.
 Dept: Courtroom 3

Complaint Filed: June 20, 2007

The motion of Defendants A.G. Spanos Construction, Inc., A.G. Spanos
 Development, Inc., A.G. Spanos Land Company, Inc., A.G. Spanos Management, Inc., and
 The Spanos Corporation, appearing through counsel, for an order dismissing Plaintiffs' First
 Amended Complaint, came on regularly for hearing on February 26, 2008 at 1:00 p.m. in
 Courtroom 3 in the above-entitled court, located at 1301 Clay Street, 3rd Floor, Oakland,
 California, the Honorable Sandra Brown Armstrong presiding. Thomas H. Keeling and Lee

1 Roy Pierce, Jr. appearing on behalf of the Spanos Defendants, and Michael Allen appearing on
2 behalf of Plaintiffs.

3 Having read and considered the documents submitted in support of and in opposition to
4 the motion and the arguments of counsel, and good cause appearing therefor, the Court rules as
5 follows: (1) Plaintiffs' claim for relief under the Fair Housing Amendments Act, 42 U.S.C.
6 §§ 3601, et. seq. ("FHAA") is barred by the statute of limitations as to all but eight of the
7 eighty-five properties identified in the First Amended Complaint; (2) Plaintiffs have failed to
8 allege facts sufficient to state a cause of action because they are not "aggrieved persons" within
9 the meaning of the FHAA, they do not claim to belong to the protected class or to sue on
10 behalf of members of the protected class, their damages, as alleged, were voluntarily incurred,
11 and they have failed to name necessary and/or indispensable parties; (3) Plaintiffs fail to allege
12 that the Spanos Defendants actually denied, or could actually deny, a rental to any member of
13 the protected class; and (4) the First Amended Complaint fails to allege facts sufficient to
14 establish plaintiffs' standing to sue. For these reasons,

15 IT IS HEREBY ORDERED that the motion to dismiss the First Amended Complaint is
16 granted.

17 Dated: _____, 2008

18 Honorable Sandra Brown Armstrong
19 United States District Judge
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